

Express Mail No. EV654850700US

FORM PTO-1390 (REV. 2-2005)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 8932-1190-999	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known, see 37CFR 1.5) 10/552675	
INTERNATIONAL APPLICATION NO. PCT/CH2003/000240		INTERNATIONAL FILING DATE April 11, 2003		PRIORITY DATE CLAIMED April 11, 2003	
TITLE OF INVENTION ANCHORING MEANS FOR INTERVERTEBRAL IMPLANTS					
APPLICANT(S) FOR DO/EO/US Daniel Baumgartner et al.					
<p>Applicants herewith submit to the United States Designated/ Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, a List Of References Cited, and copies of 2 foreign references. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 					

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17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter 2 and 37 CFR 1.821- 1.825.			
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).			
19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).			
20. <input checked="" type="checkbox"/> Other items or information: (1) International Preliminary Examination Report under PCT Article 36 (in German) (2) International Search Report			
21. The following fees are submitted:			
BASIC NATIONAL FEE:			
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00	
<input checked="" type="checkbox"/> b) Examination fee			
Was the International Preliminary Examination Report prepared by the USPTO and do all filed claims in this U.S. application satisfy provisions of PCT Article 33(1)-(4) (i.e., novelty, inventive step and industrial capability)?.....			
<input type="checkbox"/> i) Yes (\$100.00).....			
<input checked="" type="checkbox"/> ii) No (\$200.00).....		\$200.00	
<input checked="" type="checkbox"/> c) Search fee.....			
Was the USPTO the International Searching Authority?			
<input type="checkbox"/> i) Yes (\$100.00)			
ii) If no:			
<input checked="" type="checkbox"/> (a) An International Search Report will be provided to the USPTO on or before payment of the search fee. (\$400.00).....		\$400.00	
<input type="checkbox"/> (b) No International Search Report will be provided to the USPTO. (\$500.00).....			
TOTAL OF CALCULATIONS		=	\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing of computer programs listing filed in electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets 17 -100	Extra Sheets 0 /50	Number of each additional 50 or fraction thereof (round up to a whole number).	RATE x 250.00
			\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE X
Total Claims	15 - 20	0	x \$50.00
Independent Claims	1 - 3	0	x \$200.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00	\$0.00
TOTAL OF ABOVE CALCULATIONS		=	\$900.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 50%			\$0.00
SUBTOTAL		=	\$900.00
Surcharge of \$130.00 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$0.00
TOTAL NATIONAL FEE		=	\$900.00

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Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 0 x \$40.00 per property		\$0.00	
TOTAL FEES ENCLOSED	=	\$900.00	
	Amount to be refunded:		
	charged:		

a. ☐ A check in the amount of \$ to cover the above fees is enclosed.

b. ☒ This is an estimate of the fees due. Please charge the required fees to **Deposit Account No. 50-3013**. A copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account No. 50-3013**. A copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.

22. ☐ Other instructions

23. ☒ All correspondence for this application should be mailed to **JONES DAY** Customer No. 51832

24. ☒ All telephone inquiries should be made to **Jones Day Docketing at 212-901-9028**.

Garry J. Tuma		40,210	October 7, 2005
NAME	SIGNATURE	REGISTRATION NO.	DATE